IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE B.PRAKASH RAO
WRIT PETITION NO : 14853 of 1994

Between:

1 Ex.VCO,Shri C.Koteswar Rao (Died) S/o.Late Vankataswamy Naidu
R/o.13-84 Chennapuram
Yarpal Hyderabad.
2 Shri N.Gokul S/o.Col.N.Ranga Rao (Retd.,)
R/o.86,Gunrock Enclave Secunderabad.
3 Cherukuri Krishna Babu S/o.Koteswara Rao
R/o.Rukumani Devi Colony West Maredpalli,Secunderabad.
(P-3 is brought on record as L.R. of the deceased petitioner as per court order in WPMP.8734/01, dt.28-02-02 & 2-03-02.)

.... PETITIONERS

AND

1 The Dist Collector R.R.Dist
Khairatabad Hyderabad.
2 The Revenue Divisional Officer R.R.Dist
Khairatabad Hyderabad.
3 The Mandal Revenue Officer
Shamirpet Mandal R.R.Dist.
4 G.A.Sarojini
(R.4 is impleaded as per court order dt.28-8-95 in W.P.M.P.No.21556/95.)

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandmaus, declaring the action of the respondents in interfering with the possession and enjoyment of the agricultural land measuring Acres 5-00 in Survey No.497 belonging to the 1st petitioner, and Ac.1-00 in survey Bo.497/1, and Acres 2-00 in Survey .No.498/2 and Acres 2-00 in Survey .No.503/1 belonging to the 2nd petitioner,situated at Chennapur Village, Shamirpet Mandal, R.R.Dist, as illegal, arbitrary, unwarranted and void and furbear them from interfering with the possession and enjoyment of the said lands by

the petitioners, and pass.

For the Petitioner:MR.VENKATESWARA RAO GUDAPATI Advocate

For the Respondents No.1to 3: GP FOR REVENUE

For the Respondent No4 : Mr.K.Vinay kumar, Advocate.

The Court Made the Following :

ORDER:

Heard both sides.

It is represented by the learned counsel on either side that in the similar circumstances this Court has already allowed the connected writ petitions with certain directions as per the orders in W.P.No.3912 of 1992 and batch, dated 25.03.2004. Following the same, this writ petition is also allowed with the following directions.

1) Wherever the Ex-serviceman has actually in possession of the land and has brought the land under cultivation within a period of three years from the date of allotment to JCLCS, the Mandal Revenue Officer shall consider the case and regularize the possession by issuing D-form patta in favour of Ex-serviceman or his legal heir wherever necessary;

2) It shall be open to all the Ex-serviceman who are petitioners before this Court to appear before the Mandal Revenue Officer, Shamirpet Mandal on 15.07.2004 with a representation and necessary material with regard to the status as Ex-serviceman, and with regard to possession and other particulars when the Mandal Revenue Officer may fix a date for proper enquiry and complete the enquiry within a period of two months thereafter;

3) The Mandal Revenue Officer shall submit a detailed report containing case-wise details to the Joint Collector, Ranga Reddy District who shall sanction/issue patta to eligible Ex-servicemen. Till this enquiry is completed, there shall be status quo as on today with regard to possession.

4) It shall be made clear that in no case Ex-serviceman or any other person shall be allotted more than Acs.5.00 of agricultural dry land or Acs.2.50 of wet land.

The Writ Petition is stands allowed in terms of the above directions. No costs.

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Friday the Seventeenth day of June, Two Thousand Four.

17.06.2004

Note: Issue C.C. in one week.

B/o

Klp

ASSISTANT REGISTRAR

//True copy//

SETION OFFICER

To

1 The Dist Collector R.R.Dist
Khairatabad Hyderabad.

2 The Revenue Divisional Officer R.R.Dist
Khairatabad Hyderabad.

3 The Mandal Revenue Officer
Shamirpet Mandal R.R.Dist.

4 Two C.CS to G.P.f or Revene, High Court buildings, Hyderabad.

(OUT)

5 Two C.Ds.